

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE**

|                                   |   |                     |
|-----------------------------------|---|---------------------|
| JAMES W. RILEY,                   | ) |                     |
|                                   | ) |                     |
| Plaintiff,                        | ) |                     |
|                                   | ) |                     |
| v.                                | ) | Civ. No. 06-001 GMS |
|                                   | ) |                     |
| STANLEY TAYLOR, THOMAS CARROLL,   | ) | JURY TRIAL          |
| DAVID PIERCE, AMY MUNSON, MEDICAL | ) | DEMANDED            |
| ASSISTANT MALANEY, CORRECTIONAL   | ) |                     |
| MEDICAL SYSTEMS and FIRST         | ) |                     |
| CORRECTIONAL MEDICAL,             | ) |                     |
|                                   | ) |                     |
| Defendants.                       | ) |                     |

**MOTION OF DEFENDANTS, CORRECTIONAL MEDICAL SYSTEMS (MORE PROPERLY  
KNOWN AS CORRECTIONAL MEDICAL SERVICES, INC.)  
AND MEDICAL ASSISTANT MALANEY TO REVOKE  
THE PRISONER'S I.F.P. STATUS PURSUANT TO FED. R. CIV. P. 60 AND  
COMPEL IMMEDIATE PAYMENT OF FILING FEES**

COME NOW Defendants, Correctional Medical Systems (more properly known as Correctional Medical Services, Inc.) and Medical Assistant Malaney, collectively hereinafter "Defendants", by and through their undersigned counsel, respectfully request this Honorable Court to enter the attached Order revoking the prisoner's I.F.P. status and compel immediate payment of filing fees within thirty days, or dismiss the Complaint with prejudice, and in support thereof, Defendants offer the Memorandum of Points and Authorities filed simultaneously herewith.

MARSHALL, DENNEHEY, WARNER,  
COLEMAN AND GOGGIN

BY: /s/Kevin J. Connors  
KEVIN J. CONNORS, ESQUIRE, (DE ID # 2135)  
1220 N. Market Street, 5<sup>th</sup> Floor  
P.O. Box 8888  
Wilmington, DE 19899-8888  
(302) 552-4302  
Attorneys for Correctional Medical Services, Inc. and  
Assistant Malaney

DATED: August 22, 2006

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE**

JAMES W. RILEY,

Plaintiff,

V.

STANLEY TAYLOR, THOMAS CARROLL,  
DAVID PIERCE, AMY MUNSON, MEDICAL  
ASSISTANT MALANEY, CORRECTIONAL  
MEDICAL SYSTEMS and FIRST  
CORRECTIONAL MEDICAL,

Defendants.

Civ. No. 06-001 GMS

JURY TRIAL BY TWELVE  
DEMANDED

## CERTIFICATE OF SERVICE

I hereby certify that on August 22, 2006, I electronically filed the Motion of Defendants, Correctional Medical Systems (more properly known as Correctional Medical Services, Inc.) and Medical Assistant, Malaney to Revoke the Prisoner's I.F.P. Status pursuant to Fed. R. Civ. P. 60 and Compel Immediate Payment of Filing Fees with the Clerk of Court using CM/ECF, which will send notification of such filing to the following:

Ophelia Michelle Waters, Esquire  
Department of Justice  
820 N. French Street, 6<sup>th</sup> Floor  
Wilmington, DE 19801

I hereby certify that on August 22, 2006, I have mailed by United States Postal Service, the Motion of Defendants, Correctional Medical Systems (more properly known as Correctional Medical Services, Inc.) and Medical Assistant, Malaney to Revoke the Prisoner's I.F.P. Status pursuant to Fed. R. Civ. P. 60 and Compel Immediate Payment of Filing Fees to the following non-registered participant:

James W. Riley  
#169716  
Delaware Correctional Center  
1181 Paddock Road  
Smyrna, DE 19977

MARSHALL, DENNEHEY, WARNER,  
COLEMAN & GOGGIN

BY: /s/ Kevin J. Connors  
KEVIN J. CONNORS, ESQ.  
DE Bar ID: 2135  
1220 North Market Street, 5th Fl.  
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Wilmington, DE 19899-8888  
Attorney for Defendants, Medical Assistant  
Malaney and Correctional Medical Services, Inc.